

Emily V. Smith (10212)
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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH	
CENTRAL DIVISION	
In re MEREDITH CORPORATION	<p>DECLARATION OF EMILY V. SMITH IN SUPPORT OF REQUEST FOR ISSUANCE OF SUBPOENA PURSUANT TO 17 U.S.C. 512(h)</p> <p>Case No. _____</p> <p>Honorable _____</p>

I, Emily V. Smith, hereby declare subject to penalty of perjury that the following facts are true and correct as follows:

1. I am an attorney licensed to practice in all of the state and federal courts of the state of Utah. I and my law firm, Ray Quinney & Nebeker, P.C. ("RQN") represent applicant Meredith Corporation ("Meredith") in the above-captioned matter.

2. I respectfully submit this Declaration in support of Meredith's request for the issuance of a Subpoena to Bluehost, Inc. ("Bluehost"), pursuant to 17 U.S.C. § 512 et seq., the Digital Millennium Copyright Act, (the "Act").

3. I believe Bluehost to be the entity owning and operating a website, woodworking4home.com, on which a user has posted materials that infringe registered copyrights owned by Meredith.

4. Pursuant to the requirements of 17 U.S.C. 512(c)(3)(A), Meredith sent Bluehost written notification identifying Meredith's copyrights and informing Bluehost of the claimed infringement on November 17, 2009. A copy of the notification is attached hereto as Exhibit 1.

5. The purpose of the Bluehost Subpoena is to obtain the identify of the individual(s) or entity(ies) posting the infringing information (the "Infringer(s).") 17 U.S.C. § 512(h)(2)(c).

6. The information obtained through the Bluehose Subpoena will only be used for the purpose of protecting Meredith's rights under the Act and will not be used for any other purpose. (Id.)

7. Bluehost is required to expeditiously disclose information sufficient to identify the Infinger(s) pursuant to 17 U.S.C. 512(h)(3),(5).

WHEREFORE, I respectfully request that the Court issue the attached proposed Subpoena.

Dated this 4th day of December, 2009

RAY QUINNEY & NEBEKER P.C.

/s/ Emily V. Smith
EMILY V. SMITH

EXHIBIT “1”

SATTERLEE STEPHENS BURKE & BURKE LLP

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November 17, 2009

By First Class Mail and E-Mail

Bluehost Inc.
1958 South 950 East
Provo, Utah 84606

Re: Notice of Infringements of Meredith Corporation Copyrights

Dear Sir/Madam:

We represent Meredith Corporation ("Meredith"), publisher of Wood[®] Magazine. Meredith regularly publishes plans for a variety of woodworking projects in Wood[®] Magazine. We write to provide notice of infringements under penalty of perjury pursuant to the terms of the Digital Millennium Copyright Act (the "Act").

Meredith is the owner of copyright registrations in connection with the above mentioned works, including the following:

- It's a Keeper (Box Plans); Your Folder: Box Plans; Your File: Box-magazine Holders and box joint jig.pdf; originally appeared in Wood Magazine, October 1998; Copyright Registration No. TX 4-766-160
- Arts-and-Crafts Collection, Coffee Table and Ottoman; Your Folder: Table (also Ottoman); Your File: Coffee Table & Ottoman Plans.pdf; originally appeared in Wood Magazine, March 1999; Copyright Registration No. TX 4-857-872
- Heirloom Hope Chest; Your Folder: Chest; Your File: Chest-Heirloom Hope Chest.pdf; originally appeared in Wood Magazine, June/July 2002; Copyright Registration No. TX 5-591-129
- 5 Ways to Make Precision Rabbit Cuts; originally appeared in Wood Magazine, June 1998; Copyright Registration No. TX 4-682-044
- Panel-Cutting Sled; originally appeared in Wood Magazine, April 1999 (and 101 Workshop Projects, 2002 and 2004); Copyright Registration No. TX 6-079-274

SATTERLEE STEPHENS BURKE & BURKE LLP

Bluehost, Inc.
November 17, 2009
Page 2

- Speedy Sorter; originally appeared in Wood Magazine, August 1998; TX 4-699-696
- Gardener's Retreat; Your Folder: Arbor Plans; originally appeared as a stand alone plan; Copyright Registration Nos. TX 5-724-912, Va 1-224-645

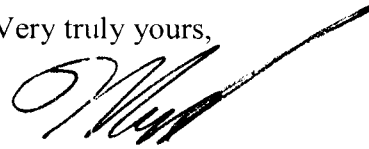
It has come to our client's attention that a bluehost.com user has posted materials that infringe Meredith's copyrights as outlined above. Specifically, the website located at woodworking4home.com offers numerous infringing copies of Meredith's copyrighted plans for sale, both on-line and via a Woodworking4Home DVD-ROM.

The user's publication and offering for sale of Meredith's plans as described above is unauthorized. Moreover, we have a good faith belief that there is no legal basis for the use of the materials posted.

We therefore request, as required under the Act that Bluehost, Inc. remove or disable access to the infringing materials. Please contact the undersigned no later than one week from the date of this letter to confirm that the infringing material has been removed or access disabled.

We reserve all of our client's rights at law and equity in the interim.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael H. Gibson', with a long, sweeping horizontal stroke extending to the right.

Michael H. Gibson

MHG:cag